

**CITY OF SHOREVIEW
MINUTES
REGULAR CITY COUNCIL MEETING
June 17, 2013**

CALL TO ORDER

Mayor Martin called the regular meeting of the Shoreview City Council to order at 7:00 p.m. on June 17, 2013.

PLEDGE OF ALLEGIANCE

The meeting opened with the Pledge of Allegiance.

ROLL CALL

The following members were present: Mayor Martin; Councilmembers Johnson, Quigley, Wickstrom and Withhart.

APPROVAL OF AGENDA

MOTION: by Councilmember Wickstrom, seconded by Councilmember Quigley, to approve the June 17, 2013 agenda as submitted.

VOTE: Ayes - 5 Nays - 0

PROCLAMATIONS AND RECOGNITIONS

There were none.

CITIZEN COMMENTS

Mr. Tom Kramer, 4444 Chatsworth Street, spoke to urge the Council to investigate organized trash collection for Shoreview. It would not necessarily mean one company in a city, but it would mean one garbage truck in a neighborhood. Using Mn/DOT standards, one full garbage truck amounts to 1,000 car trips on a road. The Minnesota Pollution Control Agency (MPCA), in a 2009 report, states that trash trucks are one of the heaviest vehicles traveling local streets. It is estimated that one garbage truck causes 7.8% impact to the road. Five trucks using the same alley amounts to an impact of 85.6%. The most impact is to roads with the least vehicle use. Roseville estimates that one mile of a 7-ton street repair costs \$500,000. Streets with limited garbage truck usage last five to 10 years longer, which saves property owners \$20 to \$40 per year. With 9,000 households, this saves Roseville between \$188,000 and \$376,000 per year. Rates for homeowners decrease between 35% to 50% with organized trash collection.

Mayor Martin responded that the Environmental Quality Committee (EQC) has made this recommendation to the Council in support of organized collection. On the last community survey, when that question was put to residents, it was rejected by a two to one margin. Although she does not doubt the data presented, the consideration is about how the community feels. A new survey is being done this year, and that question will be asked again.

Mr. Kramer stated that it is important for residents to understand the cost savings. He offered to turn in a petition. Mayor Martin stated that a petition of 100 signatures would not be enough in a city of 27,000.

Councilmember Wickstrom agreed that residents do not understand the cost benefits. She suggested writing a factual letter to the editor as one way to educate people. Mr. Schwerm added that the EQC is very supportive and plans a speaker on this topic during their educational series next year. The question is asked on the community survey to see if attitudes have changed.

COUNCIL COMMENTS

Mayor Martin:

The Concert in the Commons Series continues this Wednesday at 7:00 p.m. with “Inside Straight,” a blues band.

Shoreview has been recognized by the GreenStep City organization for its environmental sustainability efforts and will be receiving an award. Congratulations to the EQC and Jessica Schaum, Environmental Officer.

Noted the State Auditor findings in the Finance Director’s monthly report that is now available on the City’s website. A comparison of other cities the size of Shoreview shows revenue per capita, spending per capita, taxes per capita and debt. The report is extremely flattering to the City.

Councilmember Johnson:

Wednesday, from 5:00 to 6:00 p.m. is the Turtle Lake Pavilion Grand Opening.

She noted that she will be absent at the July 1, 2013 Council meeting.

Councilmember Wickstrom:

Thank you to all the Green Community volunteers for taking care of the rain garden at the fire station south of Island Lake.

Beyond the Yellow Ribbon of Ramsey County is planning a benefit concert on Sunday, June 23, 2013, at North Heights Lutheran Church from 5:00 to 6:30 p.m. to give scholarships to children of fallen soldiers. Donations will be accepted.

CONSENT AGENDA

MOTION: by Councilmember Withhart, seconded by Councilmember Wickstrom, to approve the Consent Agenda for June 17, 2013, and all relevant resolutions for item Nos. 1 through 13 with the exception of item Nos. 1 and 10, which were pulled for a separate vote:

2. Receipt of Committee/Commission Minutes:
 - Planning Commission, May 28, 2013
 - Bike and Trails Committee, June 16, 2013
3. Monthly Reports:
 - Administration
 - Community Development
 - Finance
 - Public Works
 - Park and Recreation
4. Verified Claims in the Amount of \$1,174,896.52
5. Purchases
6. Declaration of Intent to Bond for Project Costs
7. Approval of Fireworks Display for Slice of Shoreview
8. Change Order #1 - County Road D, CP 13-01A and Cottage Place, CP 13-01B
9. Approve Reapportionment of Assessments Combination #DB071412
11. Award of Quote - 2013 Streetlight Replacements, CP 13-05
12. Acceptance of Quote - Waterslide Stair Repairs
13. Amendment to 2013 Job Title and Wage Plan

VOTE: Ayes - 5 Nays - 0

MOTION: by Councilmember Wickstrom, seconded by Councilmember Johnson, to approve the June 23, 2013 City Council Meeting Minutes as submitted.

VOTE: Ayes - 4 Nays - 0 Abstain - 1 (Withhart)

MOTION: by Councilmember Withhart, seconded by Councilmember Wickstrom to approve the amendment to the planned unit development stage application submitted by Target Corporation, 3800 Lexington Avenue. Said approval is subject to the following:

Planned Unit Development - Amendment

1. The PUD amendment replaces the previous PUD approval from 1989, 1990 and 2000.
2. A Development Agreement shall be executed and shall include applicable provisions from the previous PUD approvals referenced in Condition No. 1 above as well as any requirements associated with this PUD amendment.
3. The applicant shall execute an agreement between Lots 1 and 2 addressing the shared driveway, access, signage and maintenance. Said agreements shall be submitted to the City

- Attorney for review and approval prior to the City's review of the Final Stage PUD plans and Final Plat.
4. Development on Lot 2 shall require an amendment to this Planned Unit Development.
 5. Target agrees to work with the City on developing a landscape plan that addresses landscaping within the landscape islands where trees have died and have been removed. Said plan shall be submitted with the Final PUD application.
 6. Truck traffic to Lot 1 shall be prohibited between the hours of 12:00 a.m. and 5:00 a.m. with the exception of trailer drop-offs.
 7. An exception to the City's minimum parking requirements is approved as part of this PUD. As indicated in the submittal, 765 stalls shall be provided on Lot 1 for the SuperTarget Retail store.
 8. The existing freestanding sign on Lexington Avenue identifying the SuperTarget store may remain provided a sign easement is conveyed to and benefits Lot 1. It is the City's preference that this sign be shared with the future use of Lot 2.
 9. The existing condition limiting the retail hours of the SuperTarget store from 7:00 a.m. to 12:00 a.m. shall be lifted with this approval.
 10. Target is released from the responsibility imposed with the 1989 PUD requiring snow removal on Red Fox Road as this road is plowed and maintained by the City of Shoreview. Target shall continue to be responsible for the removal of snow on the South Access Road until such time the City takes over snow plowing on said road.

This approval is based on the following findings of fact:

1. The proposed land use is consistent with the designated commercial land use in the Comprehensive Plan.
2. The proposed use is consistent with the underlying C1, Retail Service zoning of the PUD.
3. The amended PUD benefits the City, as the Outlot A will be conveyed to the City for storm water ponding associated with the Red Fox Road construction project.

VOTE: Ayes - 4 Nays - 0 Abstain - 1 (Johnson)

PUBLIC HEARING - NPDES ANNUAL REPORT

City Attorney Kelly stated that he has reviewed the affidavit of notice for the public hearing which is in order at this time.

Presentation by Public Works Director Mark Maloney

No comments have been received from the public on the draft report. This report is required annually by the Minnesota Pollution Control Agency (MPCA) for the City's permit to own and operate a storm water collection system. This reporting process began in 2003, when six minimum control measures were required all of which the City is in compliance with:

- Public education and outreach through articles in the ShoreViews, EQC Speaker Series, City website and Access TV;
- Public participation/involvement through the Green Community Award program;

- Illicit discharge, detection and elimination;
- Construction site runoff control that is regularly enforced by the City;
- Post-construction site runoff control, such as the storm water infiltration system for the Floral/Demar neighborhood and the sand filter on Wabasso and Ernal Drive; and prohibition of coal tar based sealers;
- Pollution prevention/good housekeeping.

Councilmember Withhart asked for examples of noncompliance of illicit discharge. Mr. Maloney stated that pouring material down a catch basin, storage of salt on private property that is not properly contained and covered in summer will wash off into the sewer system. Pollution prevention is addressed with good inspection and maintenance schedules and GPS records.

The draft report is submitted, and staff recommends the public hearing.

Mayor Martin opened the public hearing at 7:24 p.m. There were no comments or questions from the public.

MOTION: by Councilmember Quigley, seconded by Councilmember Wickstrom to close the public hearing at 7:24 p.m.

VOTE: Ayes - 5 Nays - 0

Councilmember Withhart stated that it is his hope that the permitting process is not just paperwork but provides helpful suggestions to the City. The City tries to be innovative with this process. Mr. Maloney responded that the requirements stipulated in 2003 found Shoreview to be well positioned regarding storm water issues.

Mayor Martin expressed concern that with all the measures taken, and then there is a 100-year event. Her question is if there is enough good with preventative measures to undo the damage done by these storms. Mr. Maloney stated that the process is a balancing act between cost and the types of storm experienced. A certain level of protection is required. To protect the City at a higher level from heavy storms is a cost issue.

MOTION: by Councilmember Quigley, seconded by Councilmember Johnson to direct the Public Works Director to submit the final MS4 Annual Report for 2012 to the Minnesota Pollution Control Agency reflecting the receipt of any comments from the Public Hearing held on June 17, 2013.

ROLL CALL: Ayes: Johnson, Quigley, Wickstrom, Withhart, Martin
Nays: None

GENERAL BUSINESS

AWARD OF BID - 2013 STREET SEAL COAT, CP 13-04

Presentation by Public Works Director Mark Maloney

The City is divided into seven zones for annual seal coating street repair. This year, work will be done in Zone 6. Two competitive bids were received for the contract from Allied Blacktop Co. and Pearson Brothers, Inc. The low bid was received from Allied Blacktop Co. in the amount of \$233,974.00. Both companies are very familiar with City standards and specifications. Staff recommends acceptance of the bid received by Allied Blacktop Co.

Councilmember Withhart asked if the construction on Victoria Street impacts this work. Mr. Maloney stated that Allied plans to start the work immediately by the end of June. If seal coating were done later in the summer, there would be a conflict.

Councilmember Quigley noted that the seal coating schedule has decreased street complaints and is an example of long-range preventative planning done by the City.

Councilmember Withhart asked if residents would be notified when the work is to be done. Mr. Maloney stated that the timing of communication to residents is a balance of advance notice and meaningful notice. Rainy days cannot be predicted. When the schedule is known, residents are notified and signs are placed in boulevards.

MOTION: by Councilmember Johnson, seconded by Councilmember Withhart to approve Resolution No. 13-52 accepting the bid from Allied Blacktop Company for the 2013 Street Seal Coating, City Project 13-04, and authorizes the Mayor and City Manager to execute a construction contract in the amount of \$233,974.00.

ROLL CALL: Ayes: Quigley, Wickstrom, Withhart, Johnson, Martin
Nays: None

AWARD OF BID - 2013 STREET REHABILITATION PROJECT, CP13-02 AND GASTON/GROVE/ST. ALBANS WATER MAIN EXTENSION, CP 13-03

Presentation by Public Works Director Mark Maloney

This is a full depth reclamation street project with water main extension for Gaston/Grove and St. Albans and parking lot improvements at Wilson and McCullough Parks. The City Council approved plans and specifications at its May 20, 2013 Council meeting. Five bids were received. The low bidder is North Valley, Inc. in the amount of \$3,331,357.44, which is just 2% over the Engineer's Estimate of \$3,255,000.00. The late start on the construction season due to weather and the many rainy days has contributed to higher bid prices.

Funding sources for this project are listed below:

Street:	Bonding	\$2,500,000
	MSA Funds	\$ 700,000
Wilson & McCullough Parks:		
	GFA Revolving Fund	\$ 281,000

Water Main Extension:

Assessments/Bonding	\$ 98,000
Water Fund	\$ 9,000

Total: \$3,588,000

North Valley, Inc. works well with the City and did a similar project for the City in 2006, with great success.

MOTION: by Councilmember Withhart, seconded by Councilmember Wickstrom to adopt Resolution No. 13-56 accepting the low bid from North Valley, Inc. for the 2013 Street Rehabilitation and Gaston, Grove, St. Albans Watermain Extension, City Projects 13-02 and 13-03 and authorize the Mayor and City Manager to execute a construction contract in the amount of \$3,331,357.44.

Discussion:

Councilmember Withhart noted the special assessments are only for those who are receiving the water main extension, which is partially offset by the Water Fund. The street reconstruction is not assessed. It is remarkable that City policy with financial foresight and planning budgets these funds ahead of projects. Very few cities are in this position.

Councilmember Wickstrom stated that it is important to do as much maintenance of streets as possible. Maintenance is cheaper and saves money in the long run. The park parking area improvements will take care of handicap access at those parks.

ROLL CALL: Ayes: Wickstrom, Withhart, Johnson, Quigley, Martin
Nays: None

AMENDMENT TO EXHIBIT B, ADMINISTRATIVE FEE SCHEDULE AND SECTION 714, RENTAL LICENSING

Presentation by City Planner Kathleen Nordine

As a result of discussions with the Economic Development Authority (EDA), staff has reviewed the existing rental licensing program. The text amendment proposed would first amend Section 714.040© to require that the license holder or designated rental agent be present at any inspection of the property and assist with enforcement efforts when corrections are required. Also, a Crime Free/Drug Free Lease Addendum would be added to Section 714.040(G) for multi-family license holders to participate in the Ramsey County Crime Prevention Program. This crime free language would be included in all leases and apply to all rental licenses.

In response to a comment received from Lisa Pelan, Minnesota Multi Housing Association, staff did revise the ordinance slightly, which was distributed at this meeting.

The second part of the amendment is to amend administrative fees, which are proposed as follows:

Late Application Fee for License Renewal:	\$75.00
Delinquent Municipal Utility Bill at time of License Renewal	\$75.00
Reinspection Fee	\$50.00
License Transfer Fee	\$30.00

Due to the amount of staff time involved in renewals, a late fee is being added to the fee schedule.

MOTION: by Councilmember Withhart, seconded by Councilmember Wickstrom, to adopt Ordinance #910 amending Section 714, Rental Licensing, related to inspections and license renewal applications and Exhibit B, Administrative Fee Schedule adopting a reinspection fee, license transfer fee and penalty fees in reference to the revised Ordinance Amendment with language and authorization for publication of an ordinance summary.

Discussion:

Councilmember Withhart noted that rental units are applying for building permits at the same rate as owner-occupied homes. Overall, rental properties are being well maintained.

Ms. Lisa Pelan, Minnesota Multi Housing Association, stated that the Association is a non-profit organization of 2100 members who work toward equality in rental housing. The Association works to partner with cities. She leads over 100 educational classes per year. A brochure has been published, *Fundamentals of Rental Property Management*. She thanked Shoreview for making the proposed changes.

ROLL CALL: Ayes: Withhart, Johnson, Quigley, Wickstrom, Martin
Nays: None

ADJOURNMENT

MOTION: by Councilmember Withhart, seconded by Councilmember Johnson, to adjourn the meeting at 8:05 p.m.

VOTE: Ayes - 5 Nays - 0

Mayor Martin declared the meeting adjourned.

THESE MINUTES APPROVED BY COUNCIL ON THE 1ST DAY OF JULY 2013.

Terry Schwerm
City Manager